

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	CRIMINAL ACTION NO.
v.)	06-cr-00539-03
)	
)	CIVIL ACTION NO.
LUIS MANUEL RODRIGUEZ)	09-cv-01476

ORDER

AND NOW, this 18th day of July 2011, upon review and consideration of *pro se* Petitioner Luis Manuel Rodriguez's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. no. 165], and the Government's Motion to Dismiss [Doc. no. 167], it is hereby **ORDERED** that:

1. Petitioner's Motion is **DENIED**;
2. The Government's Motion is **GRANTED**;
3. The Court finds no ground upon which to issue a certificate of appeal, as Petitioner has not made a substantial showing of the denial of a constitutional right;¹ and
4. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe
CYNTHIA M. RUFÉ, J.

¹ See 28 U.S.C. § 2253(c)(2).